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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

9 KAREN A. FORD-ABBOTT,) 3:07-cv-00526-BES-VPC
10 Plaintiff,)
11 v.) ORDER
12 MICHAEL J. ASTRUE,)
13 Defendant.)
14

15 Before the Court is Plaintiff Karen A. Ford-Abbott's ("Plaintiff") Objections to Report and
16 Recommendation of United States Magistrate Judge (#14) filed on October 13, 2008.
17 Defendant filed its Opposition to Plaintiff's Objections to Report and Recommendation of U.S.
18 Magistrate Judge (#15) on October 29, 2008. This action was referred to U.S. Magistrate
19 Judge Valerie P. Cooke pursuant to 28 U.S.C § 636(b)(1)(B) and LR IB 1-4. The Magistrate
20 Judge submitted her Report and Recommendation (#13) on October 7, 2008. In the Report
21 and Recommendation, the Magistrate Judge concluded that the Administrative Law Judge's
22 ("ALJ") decision was supported by substantial evidence, that plaintiff's motion for reversal be
23 denied and defendant's motion to affirm be granted.

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I. ANALYSIS

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A. Review of Magistrate Judge's Order

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Pursuant to 28 U.S.C. § 636(b)(1)(B) and LR IB 3-2, a party may file specific written objections to the findings and recommendations of a magistrate judge made pursuant to LR IB 1-4. The district court must make a *de novo* determination of those portions of the

1 magistrate judge's report to which objection is made and may accept, reject, or modify, in
 2 whole or in part, the findings or recommendations made by the magistrate judge. LR IB 3-2(b).
 3 *De novo* review means the court must consider the matter anew, the same as if it had not
 4 been heard before and as if no decision previously had been rendered. Ness v.
 5 Commissioner, 954 F.2d 1495, 1497 (9th Cir. 1992). Thus, although the district court need
 6 not hold a *de novo* hearing, the court's obligation is to arrive at its own independent conclusion
 7 about those portions of the magistrate judge's findings or recommendation to which objections
 8 are made. United States v. Remsing, 874 F.2d 614, 617 (9th Cir. 1989).

9 After conducting a *de novo* review of the record, the Court concludes that the ALJ
 10 properly applied the correct legal standards and his findings of fact are explained and
 11 supported by substantial evidence in the record. Specifically, the ALJ properly found that
 12 plaintiff could perform her past relevant work as a movie ticket taker and a fast food worker
 13 based upon the vocational expert's testimony. For the same reasons, the ALJ also properly
 14 found that there are other significant jobs which exist in the economy that plaintiff could
 15 perform.

16 **III. CONCLUSION**

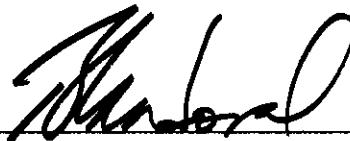
17 The Magistrate Judge therefore properly found that the ALJ's decision was supported
 18 by substantial evidence, that plaintiff's motion for reversal be denied and defendant's motion
 19 to affirm be granted.

20 IT IS HEREBY ORDERED that the court ACCEPTS in whole the Report and
 21 Recommendation of U.S. Magistrate Judge (#13) and Plaintiff's Objections to Report and
 22 Recommendation of United States Magistrate Judge (#14) are DENIED.

23 IT IS SO ORDERED.

24 DATED: This 9th day of June, 2009.

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UNITED STATES DISTRICT JUDGE